

PATENT
Application 10/039,292
Attorney Docket 2005P12932US (1120-003)

REMARKS

Applicant respectfully thanks the Examiner for the consideration provided to this application, and respectfully requests reconsideration of this application.

Each of claims 39, 45, 46, 49, 51, and 58 has been amended for at least one reason unrelated to patentability, including at least one of: to explicitly present one or more elements, limitations, phrases, terms and/or words implicit in the claim as originally written when viewed in light of the specification, thereby not narrowing the scope of the claim; to detect infringement more easily; to enlarge the scope of infringement; to cover different kinds of infringement (direct, indirect, contributory, induced, and/or importation, etc.); to expedite the issuance of a claim of particular current licensing interest; to target the claim to a party currently interested in licensing certain embodiments; to enlarge the royalty base of the claim; to cover a particular product or person in the marketplace; and/or to target the claim to a particular industry. Support for the amendments to each of claims 39, 46, and 51 can be found at paragraph 0035 of the present application as published (U.S. Patent Publication 20020108111). Support for the amendments to each of claims 45, 49, and 58 can be found at paragraphs 0024 and 0034-0036 of the present application as published. It is respectfully submitted that no new matter has been added.

Claims 39-58 are now pending in this application. Each of claims 39, 46, and 51 is in independent form.

I. The Obviousness Rejections

Each of claims 39-58 was rejected under 35 U.S.C. 103(a) as being obvious, and thus unpatentable, over various combinations of U.S. Patent 6,154,771 ("Rangan"), U.S. Patent 6,732,367 ("Ellis"), U.S. Patent 6,177,931 ("Alexander"), U.S. Patent 2002/0059629 ("Markel"), U.S. Patent 6,637,032 ("Feinleib"), and/or U.S. Patent 6,560,777 ("Blackketter"). Each of these rejections is respectfully traversed as moot in view of the present amendments to each of claims 39, 46, and 51.

Specifically, claim 39, from which each of claims 40-45 ultimately depends, states, *inter alia*, yet no substantial evidence has been presented that the applied portions of the relied-upon references teach, "based at least in part on input from the user, dynamically and individually for

PATENT
Application 10/039,292
Attorney Docket 2005P12932US (1120-003)

the user modifying the video by adding ATVEF information to the video based on the retrieved profile information of the user and the previous purchases of the user and the user's probable future purchases in view of his previous purchases".

Claim 46, from which each of claims 47-50 ultimately depends, states, *inter alia*, yet no substantial evidence has been presented that the applied portions of the relied-upon references teach, "adding ATVEF information to the received content based on the retrieved profile information and the previous user purchases and probable future purchases in view of previous purchases".

Claim 51, from which each of claims 52-58 ultimately depends, states, *inter alia*, yet no substantial evidence has been presented that the applied portions of the relied-upon references teach, "dynamically and individually for the user adding interactive content information to the video based upon the profile information and the previous purchases of the user and the user's probable future purchases in view of his previous purchases, the profile information comprising user specified filtering criteria, the user specified filtering criteria adapted to cause an interactive program guide to be displayed with user-identified information filtered out".

Accordingly, a reconsideration and withdrawal of each rejection of each of claims 39, 46, and 51 is respectfully requested. Also, a reconsideration and withdrawal of each rejection of each of claims 40-45, 47-50, and 52-58, each of which ultimately depends from one of claims 39, 46, and 51, is respectfully requested.

PATENT
Application 10/039,292
Attorney Docket 2005P12932US (1120-003)

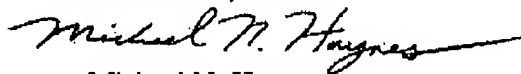
CONCLUSION

It is respectfully submitted that the application is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC



Michael N. Haynes

Registration 40,014

Date: 10 March 2008

1341 Huntersfield Close

Keswick, VA 22947

Telephone: 434-972-9988

Facsimile: 815-550-8850